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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid QMS control number. TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING | Docket Number (Optional) REJECTION OVER A PENDING "REFERENCE" APPLICATION 5271-0109PHS1 In re Application of: Kazutaka UCHITOMi et al. Application No.: 10/717.772-Conf. #8376 Fileri November 20, 2003 ACTIVE MATERIAL FOR ELECTRODE AND NON-AQUEOUS SECONDARY BATTERY USING For THE SAME HITACHI MAXELL, LTD. 100 The owner\*. percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patient granted on pending reference Application Number 10/181,163 filed on July 16, 2002 as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patient granted on said reference application may

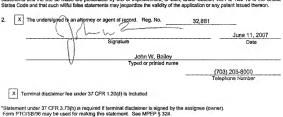
the instant application and is binding upon the grantee, its successors or asskins. in making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on

Check either box 1 or 2 below, if appropriate,

For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United



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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION	Docket Number (Optional) 5271-0109PUS1
In re Application of: Kazutaka UCHITOMI et al.	
Application No.: 10/717,772-Conf. #8376	
Filed: November 20, 2003	
For: ACTIVE MATERIAL FOR ELECTRODE AND NON-AQUEOUS SECONDARY BATTERY USING THE SAME	
The owner', HITACHI MAXELL, LTD., of 100 per control interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 11/191,742. Set on 10/191,742, and such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent or granted on the instant application and by indication and is bridged upon the granted value. This agreement runs with any patent granted on the reference application and be shorted upon the granted value. Set successors or exagine.	
In making the above disclaims; the owner does not disclaim the terminal part of any patient granted on the instant application that would extent to the experition date of the full statenty return as defined in \$5 18.25. 15 4s and 175 of any patient granted on said reference application may be shortened by any terminal disclaimer field prior to the grant of any patient on the pending reference application," in the event that any such patient; granted on the pending reference application, if the event that any such patient; granted on the pending reference application; express for failure to pay a maintenance fee, is held upenforceable, is found invalid by a count of competent jurisdiction, is a statistically disclaimed in vindor or terminally disclaimed under 37 CFR. 1.321; has all claims canceled by a reexamination certificate, a release of the part of the part of the expression of its full statistics from as schedered by any interminal disclaimer files prior to be grant.	
Check either box 1 or 2 below, if appropriate.	
For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.	
I hereby declare that all statements made herein of my own knowledge are five and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that withit false statements and he like so made are purchastele by the or implosoment, or both, under Section 1001 of Tiles 16 of the United States Code and that such willful false statements may jeopordize the validity of the application or any patent issued thereon.  2. X The undersigned is an attorney or agent of record. Reg. No. 32,681	
Signature	June 11, 2007 Date
John W. Bailey	Date
Typed or printed name	
	(703) 205-8000 Telephone Number
	salepsone number
X Terminal disclaimer fee under 37 CFR 1.20(d) is included.	
*Statement under 37 CFR 3,73(b) is required if terminal disclaimer is signed by the assignee (owner).	
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.	